

REMARKS

The Drawings

The Examiner objected to the drawings as not showing the features of claim 7.

The applicant respectfully requests that the Examiner consider Figure 1 to also show two cables on each of the load nut. Figure 1, a side elevational section view, can be considered to show four cables, with two of the cables behind the cables that are illustrated. The view would be essentially the same.

If the Examiner still continues to require such a specific illustration, then either a horizontal planar simple cross section will be provided, or claim 7 will be cancelled.

Claim Objections

Claim 7 is corrected to eliminate the phrase "a said", but in a way to retain the original meaning. Other claims are amended to correct errors. These corrections include claims 3 and 6, in response to the errors pointed out by the Examiner in the Section 112 rejections.

Rejections Under 35 U.S.C. § 102

Claim 8 was rejected by the Examiner as allegedly anticipated by the applicant's own prior patent, Patent No. 5,971,178.

However, claim 8 distinguishes from the prior Ratcliff patent. The terms in the claim must be read in light of how these terms are defined in the specification.

There are two terms in claim 8 have specific meanings in accordance with the applicant's disclosure: "coil chains"; and "chain guide". Coil chains, as explained in the specification, are distinct from roller chains (sometimes called "rollerless" chains). The applicant's prior patent shows a hoist with link-and-pin type chains, known as roller chains, as explained in the second paragraph of page 1. These are generally similar to bicycle chains. Coil chains, on the other hand, are explained at the bottom of page 3 of the specification, as generally comprising welded racetrack-shaped links which are interlinked in alternating orientations (in planes at 90° to each other), the type used for log chains, many chain hoists and other heavy duty applications. Such coil chains are also shown clearly in the drawings, Figures 7, 8, 9 and 10. These chains are very distinct from roller chains, in that if allowed to collapse loosely and without the confinement of the chain guides that are the subject of this invention, they will tangle and snag.

The term "chain guide", is also well understood from the

specification. Such chain guides are the essence of the present invention, allowing tension members such as wire rope cables, coil chains and web strapping, which generally cannot be "pushed", to be used in a chain hoist. Chain guides are described in the specification and shown in the drawings for each of these types of tension members. In one case the guides are V grooves, in others they are guide channels at each side of the housing, closely guiding a coil chain within the housing so that the chain cannot buckle, bunch, kink or jam upon collapse (the chain must be fed back out of the housing to reposition the hoist). The guide channels are shown in Figures 7 through 10 of the drawings. Another type of guide means is shown for webbing straps.

Thus, the term "chain guide means" refers to a specific type of structure that guides the chains against buckling or jamming upon collapse. All of the guide means disclosed in the specification are elongated channels or other devices that position the tension member such that it remains confined when tension is lacking. The term clearly does not refer to a pulley or sprocket, such as the sprockets 35, 37 shown in the Ratcliff prior patent. Those sprockets simply redirect the roller chain as shown, as it emerges from the hoist device. The current invention also has sprockets or rollers for that purpose, but the chain guides or chain guide means are something different, as is

clear from the specification. As is well established, the applicant is entitled to act as his own lexicographer as to the meanings of the terms used.

The Ratcliff prior patent shows roller chains, which are easier to handle than coil chains. In a hoist the roller chains have much less freedom of movement when not under tension, than do the tension members described in this application.

Thus, clearly the prior Ratcliff patent does not anticipate claim 8, because it does not show or suggest coil chains in the hoist, and it fails to disclose chain guide means as now claimed. The use of coil chains, which creates distinct problems in the absence of tension, is combined with the claimed chain guide means pursuant to the invention as defined in claim 8, and this is clearly distinguished from anything in the prior art. Claim 8 should be allowed.

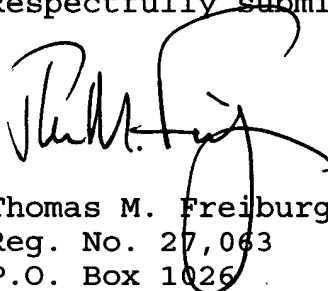
Rejections Under 35 U.S.C. § 103

In the official action, claims 1, 5, 7, 13 and 17 were rejected as obvious over the Ratcliff patent. Again, Ratcliff, the applicant's prior patent, did not disclose the tension members as recited in these claims, particularly in combination with chain guides, which are positively recited in all of the claims. There is no suggestion in the Ratcliff prior patent of combining a tension member such as a wire cable, web or other

non-roller chain tension member, with guides that are positioned adjacent to the tension members to guide and partially confine the tension members as they move within the housing, as clearly recited in all of these claims. In fact, the official action in addressing claims 1, 5, 7, 13 and 17, does not address the guide means, as that term is understood relative to the claims themselves, the description and the drawings.

Accordingly, all of claims 1-18 are believed allowable, and allowance is respectfully solicited. However, if any issue remains, the Examiner is asked to telephone the undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas M. Freiburger', written over a circular stamp or mark.

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